

# EXHIBIT B-2

**RESPONSES TO INTERROGATORIES**

**INTERROGATORY NO. 1:**

Identify all calls and text messages sent to phone number 915-383-4604 from phone number 862-362-5001 from January 2022 to present.

**RESPONSE TO ROG NO. 1:**

Defendant objects to the Interrogatory as assuming incorrect predicates facts by suggesting that Defendant controls the phone number within the Interrogatory.

Without waiving the foregoing objection and General Objections, Defendant responds as follows:

Defendant has undertaken a diligent search of the information available to Defendant, its officers, directors, and other sources under its control. Defendant has confirmed that the phone number 862-362-5001 is not registered or associated with Defendant, and Defendant cannot identify text messages and phone calls sent from the number.

**INTERROGATORY NO. 2:**

State who is/was the owner and/or operator of phone number 862-362-5001 from January 2022 to present.

**RESPONSE TO ROG NO. 2:**

Without waiving the foregoing objections and General Objections, Defendant responds as follows:

Defendant has undertaken a diligent search of the information available to Defendant, its officers, directors, and other sources under its control. After conducting its

investigation, Defendant is unable to identify the owner and/or operator of the phone number 862-362-5001 from January 2022 to the present.

**INTERROGATORY NO. 3:**

State who referred Plaintiff for solar sales appointments via Zoom with:

- a) Luis Perez
- b) Genesis Segovia
- c) Derrick Grant
- d) Brian Farrell
- e) Kyle Braveman
- f) Jerrell Mixon
- g) Edward Zajac
- h) Bobby Smith
- i) Robert Hall
- j) Eric Garcia
- k) Garrett Allred

**RESPONSE TO ROG NO. 3:**

Defendant objects to the Interrogatory as vague and ambiguous and assuming incorrect predicate facts as to the phrase, “referred Plaintiff for solar sales appointments via Zoom.” Defendant objects to the Interrogatory on the basis that it impermissibly contains multiple subparts. Defendant objects to this Interrogatory as seeking information in the possession of third parties, namely the above-listed individuals.

Without waiving the foregoing objections and General Objections, Defendant

responds as follows:

The above-referenced individuals were informed that Plaintiff wished to be contacted about solar power as set forth below after Plaintiff affirmatively sought information about solar power:

- a) Luis Perez: Garrett Allred informed Defendant that he purchased a lead containing Plaintiff's contact information from <https://overora.com/>. Mr. Allred informed Defendant that he provided the lead to Luis Perez.
- b) Genesis Segovia: Mr. Segovia informed Defendant that he purchased a lead containing Plaintiff's contact information from "Expert Telemarketing Agency." Mr. Segovia informed Defendant that he does not have the contact information for Expert Telemarketing Agency.
- c) Derrick Grant: Mr. Grant informed Defendant that he purchased a lead containing Plaintiff's contact information from a telemarketing or lead generation business. Mr. Grant informed Defendant that he cannot recall additional details about the telemarketing or lead generation business.
- d) Brian Farrell: Mr. Farrell informed Defendant that he purchased a lead containing Plaintiff's contact information after Plaintiff completed an online opt-in form from an entity called "Clean Energy Experts."
- e) Kyle Braveman: Despite reasonable efforts, Defendant was unable to obtain information responsive to this Interrogatory from Kyle Braveman or from Defendant's records or Defendant's employees.
- f) Jerrell Mixon: Mr. Mixon informed Defendant that he purchased a lead containing Plaintiff's contact information from a Facebook advertisement placed by Raja

Abbas (ashikiani22@gmail.com).

- g) Edward Zajac: Mr. Zajac informed Defendant that he purchased a lead containing Plaintiff's contact information from a Facebook advertisement placed by Aria Azhakh (<http://facebook.com/aria.azhakh>; <https://solarmarketingpros.net/>).
- h) Bobby Smith: Mr. Smith obtained Plaintiff's contact information from a lead purchased by Eric Garcia in response to a Facebook advertisement placed by Kpaduwa Victor C. ([chinemerempaduwa@gmail.com](mailto:chinemerempaduwa@gmail.com)).
- i) Robert Hall: Despite reasonable efforts, Defendant was unable to obtain information responsive to this Interrogatory for Robert Hall or from Defendant's records or Defendant's employees.
- j) Eric Garcia: Mr. Garcia informed Defendant that he purchased a lead containing Plaintiff's contact information from a Facebook advertisement placed by Kpaduwa Victor C. ([chinemerempaduwa@gmail.com](mailto:chinemerempaduwa@gmail.com)).
- k) Garrett Allred: Mr. Allred informed Defendant that he purchased a lead containing Plaintiff's contact information from <https://overora.com>.

**INTERROGATORY NO. 4:**

Identify all text messages and phone calls sent to phone number 915-383-4604 from phone number 209-457-2342 from January 2022 to present.

**RESPONSE TO ROG NO. 4:**

Defendant objects to the Interrogatory as assuming incorrect predicates facts by suggesting that Defendant controls the phone number 209-457-2342.

Without waiving the foregoing objection and General Objections, Defendant

responds as follows:

Defendant has undertaken a diligent search of the information available to Defendant, its officers, directors, and other sources under its control. Defendant has confirmed that the phone number 209-457-2342 is not registered or associated with Defendant, and Defendant cannot identify text messages and phone calls sent from the phone number.

**INTERROGATORY NO. 5:**

State who is/was the owner and/or operator of phone number 209-457-2342 from January 2022 to present.

**RESPONSE TO ROG NO. 5:**

Without waiving the General Objections, Defendant responds as follows:

Defendant has undertaken a diligent search of the information available to Defendant, its officers, directors, and other sources under its control. After conducting its investigation, Defendant is unable to identify the owner and/or operator of the phone number 209-457-2342 from January 2022 to the present.

**INTERROGATORY NO. 6:**

State whether the following have an active contractor and/or employment agreement with Powur. If not, state the last day such an agreement was active:

- a) Luis Perez
- b) Genesis Segovia
- c) Derrick Grant

- d) Brian Farrell
- e) Kyle Braveman
- f) Jerrell Mixon
- g) Edward Zajac
- h) Bobby Smith
- i) Robert Hall
- j) Eric Garcia
- k) Garrett Allred

**RESPONSE TO ROG NO. 6:**

Defendant objects to the Interrogatory as vague and ambiguous and assuming incorrect predicate facts as to the phrase, “an active contractor and/or employment agreement.” Defendant objects to the Interrogatory on the basis that it impermissibly contains multiple subparts.

Without waiving the foregoing objections and General Objections, Defendant responds as follows:

- a) Luis Perez: Active independent contractor.
- b) Genesis Segovia: Active independent contractor.
- c) Derrick Grant: Former independent contractor, inactive as of 10/10/23.
- d) Brian Farrell: Former independent contractor, inactive as of 08/30/23.
- e) Kyle Braveman: Former independent contractor, inactive as of 11/20/23.
- f) Jerrell Mixon: Active independent contractor.
- g) Edward Zajac: Former independent contractor, inactive as of 12/06/23.
- h) Bobby Smith: Active employee of Defendant.

- i) Robert Hall: Active independent contractor.
- j) Eric Garcia: Active independent contractor.
- k) Garrett Allred: Former independent contractor, inactive as of 11/05/23.

**INTERROGATORY NO. 7:**

State who is the owner of the webpage <https://powur.com/luis.perez5>.

**RESPONSE TO ROG NO. 7:**

Without waiving the General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/luis.perez5.

**INTERROGATORY NO. 8:**

State who is the owner of the webpage <https://powur.com/genesissegovia>.

**RESPONSE TO ROG NO. 8:**

Without waiving the General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/genesissegovia.

**INTERROGATORY NO. 9:**

State who is the owner of the webpage <https://powur.com/highpointsolar>.

**RESPONSE TO ROG NO. 9:**



Without waiving the General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/highpointsolar.

**INTERROGATORY NO. 10:**

State who is the owner of the webpage <https://powur.com/brian.farrell>.

**RESPONSE TO ROG NO. 10:**

Without waiving the General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/brian.farrell.

**INTERROGATORY NO. 11:**

State who is the owner of the webpage <https://powur.com/kyle.braveman>.

**RESPONSE TO ROG NO. 11:**

Without waiving the General Objections, Defendant responds as follows:

Defendant owns and manages the microsite <https://powur.com/kyle.braveman>.

**INTERROGATORY NO. 12:**

State who is the owner of the webpage <https://powur.com/solarjerell>.

**RESPONSE TO ROG NO. 12:**

Without waiving the General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/solarjerell.

**INTERROGATORY NO. 13:**

State who is the owner of the webpage <https://powur.com/edzajac>.

**RESPONSE TO ROG NO. 13:**

Without waiving the General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/edzajac.

**INTERROGATORY NO. 14:**

State who is the owner of the webpage <https://powur.com/bobby.smith>.

**RESPONSE TO ROG NO. 14:**

Without waiving the General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/bobby.smith.

**INTERROGATORY NO. 15:**

State who is the owner of the webpage <https://powur.com/robt.hall>.

**RESPONSE TO ROG NO. 15:**

Without waiving the General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/robt.hall.

**INTERROGATORY NO. 16:**

State who is the owner of the webpage <https://powur.com/eric.garcia>.

**RESPONSE TO ROG NO. 16:**

Without waiving the General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/eric.garcia.

**INTERROGATORY NO. 17:**

State who is the owner of the webpage <https://powur.com/garrett.allred>.

**RESPONSE TO ROG NO. 17:**

Without waiving the foregoing General Objections, Defendant responds as follows:

Defendant owns the domain name powur.com and all subdomains within that domain name and all webpages associated with those domain names, including the webpage located at powur.com/garrett.allred.

**INTERROGATORY NO. 18:**

State who is the owner of United States Patent and Trademark registration number 4892915, serial number 86672494.

**RESPONSE TO ROG NO. 18:**

Without waiving the General Objections, Defendant responds as follows:

Defendant.

**INTERROGATORY NO. 19:**

State who is the owner of United States Patent and Trademark registration number 4893809, serial number 86672488.

**RESPONSE TO ROG NO. 19:**

Without waiving the General Objections, Defendant responds as follows:

Defendant.

**INTERROGATORY NO. 20:**

State the name, address, and phone number of each company or person that has referred potential clients to Powur, Powur employees, or Powur contractors from January 2022 to present.

**RESPONSE TO ROG NO. 20:**

Defendant objects to this Interrogatory as overbroad, unduly burdensome, and not proportional to the needs of the case. Defendant objects to this Interrogatory as not relevant to any claim or defense in this action nor likely to lead to the discovery of admissible evidence. Defendant objects to the Interrogatory as vague and ambiguous,

because as worded, it is asking for the identification of every person who referred business to Defendant since January 2022. Defendant objects to this Interrogatory as seeking information that is not in its possession, custody, or control to the extent it seeks information about the referral of potential clients to Powur's contractors. Defendant objects to this Interrogatory as seeking confidential and proprietary information where the sensitive nature of the information outweighs any probative value.

**RESPONSES TO REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 1:**

Admit Exhibit A attached to this RFA is a true copy of the registered trademark #4893809, serial number 86672488 filed with the United States Patent and Trademark Office.

**RESPONSE TO REQUEST NO. 1:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

**REQUEST FOR ADMISSION NO. 2:**

Admit Powur is the owner of the registered trademark #4893809, serial number 86672488.

**RESPONSE TO REQUEST NO. 2:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

**REQUEST FOR ADMISSION NO. 3:**

Admit registered trademark #4893809, serial number 86672488 appears on the web pages listed in Interrogatories No. 7 – 17.

**RESPONSE TO REQUEST NO. 3:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

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**REQUEST FOR ADMISSION NO. 4:**

Admit Exhibit B attached to this RFA is a true copy of the registered trademark #4892915, serial number 86672494.

**RESPONSE TO REQUEST NO. 4:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

**REQUEST FOR ADMISSION NO. 5:**

Admit the web pages listed in Interrogatories No. 7-17 are used for the marketing and solicitation of solar panels.

**RESPONSE TO REQUEST NO. 5:**

Defendant objects to the request as vague and ambiguous, namely the phrase “solicitation of solar panels.”

Without waiving the foregoing objection and the General Objections, Defendant responds as follows:

Defendant admits that the webpages identified in Interrogatories Nos. 7–17 are used to market Powur’s services.

**REQUEST FOR ADMISSION NO. 6:**

(erroneously numbered 5)

Admit Powur is the owner of the registered trademark #4892915, serial number 86672494.

**RESPONSE TO REQUEST NO. 6:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

**REQUEST FOR ADMISSION NO. 7:**

(erroneously numbered 6)

Admit registered trademark #4892915, serial number 86672494 appears on the web pages listed in Interrogatories No. 7 – 17.

**RESPONSE TO REQUEST NO. 7:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

**REQUEST FOR ADMISSION NO. 8:**

(erroneously numbered 7)

Admit Powur owns the following webpages:

- a) <https://powur.com/luis.perez5>
- b) <https://powur.com/genesisseogiva>
- c) <https://powur.com/highpointsolar>
- d) <https://powur.com/brian.farrell>
- e) <https://powur.com/kyle.braveman>
- f) <https://powur.com/solarjerell>
- g) <https://powur.com/edzajac>
- h) <https://powur.com/bobby.smith>
- i) <https://powur.com/robt.hall>
- j) <https://powur.com/eric.garcia>



k) <https://powur.com/garrett.allred>

**RESPONSE TO REQUEST NO. 8:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

**REQUEST FOR ADMISSION NO. 9:**

(erroneously numbered 8)

Admit on or about May 28, 2023, Plaintiff emailed Powur and informed Powur of unwanted solicitation phone calls.

**RESPONSE TO REQUEST NO. 9:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

**REQUEST FOR ADMISSION NO. 10:**

(erroneously numbered 9)

Admit on or about August 20, 2023, Plaintiff emailed Powur through their attorney and informed Powur of continuing unwanted solicitation phone calls.

**RESPONSE TO REQUEST NO. 10:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

**REQUEST FOR ADMISSION NO. 11:**

(erroneously numbered 10)

Admit on or about August 25, 2023 Plaintiff emailed Powur through their attorney

and informed Powur of continuing unwanted solicitation phone calls.

**RESPONSE TO REQUEST NO. 11:**

Without waiving the General Objections, Defendant responds as follows:

Admit.

**REQUEST FOR ADMISSION NO. 12:**

(erroneously numbered 11)

Admit Plaintiff continued to receive phone calls soliciting solar panels after May 28, 2023, August 20, 2023, and August 25, 2023.

**RESPONSE TO REQUEST NO. 12:**

Defendant objects to this Request as asking Defendant to speculate as to what phone calls Plaintiff received. Defendant objects to this Request as seeking information that is not in Defendant's possession, custody, or control. Defendant objects to this Request as overbroad and irrelevant to the extent it asks about phone calls not placed by Defendant or its agents.

Subject to and without waiving the foregoing objection and the General Objections, Defendant responds as follows:

Defendant denies that Powur placed any calls to Defendant after May 28, 2023 marketing Powur's services or otherwise marketing or offering to sell solar-related goods or services. Defendant is informed that certain individuals identified in Interrogatory 6 placed calls to Plaintiff after May 28, 2023 marketing solar-related goods or services.

**REQUEST FOR ADMISSION NO. 13:**

(erroneously numbered 12)

Admit Plaintiff had solar solicitation meetings with Luis Perez, Kyle Braveman, Brain Farrell, Garrett Allred, Derrick Grant, Ed Zajac, Bobby Smith and Eric Garcia after May 28, 2023.

**RESPONSE TO REQUEST NO. 13:**

Defendant objects to the request as vague and ambiguous namely the phrase, “solar solicitation meetings.” Defendant objects to this Request as not relevant to any claim or defense in this action and not likely to lead to admissible evidence. Plaintiff objects to the Request as compound.

**REQUEST FOR ADMISSION NO. 14:**

(erroneously numbered 13)

Admit each of the zoom meetings Plaintiff had with Luis Perez, Genesis Segovia, Derrick Grant, Brian Farrell, Kyle Braveman, Jerrell Mixon, Edward Zajac, Bobby Smith, Robert Hall, Eric Garcia, and Garrett Allred was a solicitation selling solar panel installation.

**RESPONSE TO REQUEST NO. 14:**

Defendant objects to this Request as seeking information that is not in Defendant’s possession, custody, or control. Defendant objects to the request as vague and ambiguous, namely the phrase “solicitation selling solar panel installation.”

Without waiving the foregoing objections and the General Objections, Defendant responds as follows:

After a diligent search of its records and after diligently attempting to interview relevant witnesses, Defendant cannot admit or deny this Request, namely that Plaintiff attended Zoom meetings with each of the above-referenced individuals. Defendant is

informed that Plaintiff attended Zoom meetings with some of the individuals identified in the Request after Plaintiff requested information regarding solar-related goods and services. As to those meetings, Defendant denies the Request because the purpose of the zoom meetings was not “a solicitation selling solar panel installation,” but a response to Plaintiff’s inquiry.

**REQUEST FOR ADMISSION NO. 15:**

(erroneously numbered 14)

Admit the following websites do not identify Luis Perez, Genesis Segovia, Derrick Grant, Brian Farrell, Kyle Braveman, Jerell Mixon, Edward Zajac, Bobby Smith, Robert Hall, Eric Garcia, and Garrett Allred as “Independent” agents/contractors.

- a) <https://powur.com/luis.perez5>
- b) <https://powur.com/genessisseogiva>
- c) <https://powur.com/highpointsolar>
- d) <https://powur.com/brian.farrell>
- e) <https://powur.com/kyle.braveman>
- f) <https://powur.com/solarjerell>
- g) <https://powur.com/edzajac>
- h) <https://powur.com/bobby.smith>
- i) <https://powur.com/robt.hall>
- j) <https://powur.com/eric.garcia>
- k) <https://powur.com/garrett.allred>

**RESPONSE TO REQUEST NO. 15:**

Defendant objects to this Request as not relevant to any claim or defense in this action and not likely to lead to admissible evidence.

Without waiving the foregoing objections and General Objections, Defendant responds as follows:

Defendant admits that the webpages identified in the Request do not display the terms “independent” or “independent contractor.”